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17  
18 **UNITED STATES DISTRICT COURT**  
19 **DISTRICT OF NEVADA**

20  
21 ANTHONY SESSA and MARK SESSA, *on*  
*behalf of themselves and all others similarly*  
22 *situated,*

Plaintiffs,

23 v.

24 ANCESTRY.COM OPERATIONS INC., a  
Virginia Corporation; ANCESTRY.COM  
25 INC., a Delaware Corporation; and  
ANCESTRY.COM LLC, a Delaware Limited  
26 Liability Company,  
27 Defendants.

Case No.: 2:20-cv-02292-GMN-BNW

**JOINT STIPULATION FOR ORDER  
APPROVING EXTENSION OF  
DISCOVERY DEADLINE AND  
[PROPOSED] ORDER**

**(FIRST REQUEST)**

1 Pursuant to L.R. IA 6-1 and 6-2, and L.R. 7-1 and 26-3 of the Local Rules of Practice for  
2 the United States District Court for the District of Nevada, Plaintiffs Anthony Sessa and Mark  
3 Sessa (“Plaintiffs”) and Defendants Ancestry.com Operations Inc., Ancestry.com Inc., and  
4 Ancestry.com LLC (“Defendants” or “Ancestry”) (collectively, the “parties”), by and through their  
5 undersigned counsel, hereby stipulate and agree to extend the close of fact discovery by three  
6 weeks, to November 15, 2022, for the limited purpose of Ancestry completing its document  
7 production consistent with the Court’s order on Plaintiffs’ motion to compel and for completing  
8 the meet and confer process regarding Plaintiffs’ responses to Ancestry’s discovery requests  
9 served on September 14, 2022. The requested extension is necessary and there is good cause for  
10 the extension, as set forth below. This is the first request for an extension of the close of fact  
11 discovery and is sought in good faith and not for purposes of causing any undue delay. Indeed,  
12 the limited extension of fact discovery sought will not impact any other deadline, including class  
13 certification briefing.

14 WHEREAS, on May 16, 2022, the Court approved the parties’ Amended Joint Discovery  
15 Plan setting the close of fact discovery for October 25, 2022, (ECF Nos. 62, 64);

16 WHEREAS, on August 11, 2022, Plaintiffs filed a motion to compel Ancestry’s responses  
17 to requests for production, (ECF No. 74);

18 WHEREAS, Ancestry served its first set of requests for production and first set of  
19 interrogatories to Plaintiffs on September 14, 2022;

20 WHEREAS, Plaintiffs’ motion to compel was heard on September 27, 2022 and the Court  
21 granted it in part and denied it in part (ECF No. 82);

22 WHEREAS, pursuant to the Court’s order, Ancestry and Plaintiffs conferred regarding  
23 custodians and search terms on October 21, 2022 and subsequently reached agreement on these  
24 issues;

25 WHEREAS, Plaintiffs responded to Ancestry’s first set of requests for production and first  
26 set of interrogatories on October 14, 2022;

1 WHEREAS, Ancestry and Plaintiffs met and conferred regarding Plaintiffs' responses to  
2 Ancestry's first set of requests for production and first set of interrogatories on October 20, 2022  
3 and the parties continue to discuss these responses;

4 WHEREAS, good cause exists as required by L.R. 26-3 to grant this brief limited extension  
5 of the fact discovery deadline, because the parties have engaged in discovery in good faith but are  
6 continuing to discuss their discovery responses and need further time to produce responsive  
7 documents and information. Ancestry has diligently sought to collect documents responsive to the  
8 requests that the Court ruled Ancestry must respond to in its September 27, 2022 order. Despite  
9 efforts to comply with the Court's order expeditiously, Ancestry needs a brief extension of time to  
10 complete this process. In addition, Plaintiffs and Ancestry continue to discuss Plaintiffs' responses  
11 to Ancestry's discovery requests.

12 WHEREAS, pursuant to L.R. 26-3, the parties provide the following information as to the  
13 discovery that has been completed to date: (a) Ancestry served its initial disclosures on May 12,  
14 2022, and Plaintiffs served their initial disclosures on May 17, 2022; (b) the deposition of Ancestry  
15 employee Todd Godfrey in a 30(b)(6) and in his individual capacity was taken on October 5, 2022  
16 and the depositions of Plaintiffs Mark and Anthony Sessa were taken on October 11, 2022; (c)  
17 Ancestry made its first production of documents on July 29, 2022 and Plaintiffs made their first  
18 production of documents on October 25, 2022; (d) Ancestry is serving its supplemental  
19 interrogatory responses on October 25, 2022.

20 WHEREAS, Ancestry and Plaintiffs stipulate and agree, subject to the Court's approval,  
21 to a fact discovery completion deadline of November 15, 2022.

22 WHEREFORE, the parties hereby seek an Order of this Court for a limited extension of  
23 the close of fact discovery from October 25, 2022 to November 15, 2022.

IT IS SO STIPULATED.

DATED this 25th day of October, 2022

**TURKE & STRAUSS LLP**

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Ancestry.com LLC*

**ORDER APPROVING STIPULATION**

**IT IS SO ORDERED.**



UNITED STATES MAGISTRATE JUDGE

DATED: October 26, 2022